

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DESHONDA GOODE,

Plaintiff,

-against-

MEMORANDUM AND ORDER  
12-CV-3982(JS)(AKT)

PATRICK R. DONOHOE, Post Master  
General, United States Postal  
Service,

Defendant.

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APPEARANCES:

For Plaintiff:       Deshonda Goode, Pro Se  
                          66 Henry Street, Suite 20  
                          Hempstead, NY 11550

For Defendant:       No appearance

SEYBERT, District Judge:

Presently pending before the Court is the employment discrimination Complaint brought by pro se plaintiff Deshonda Goode ("Plaintiff") pursuant to Title VII of the Civil Rights Act of 1964 ("Title VII"), as codified, 42 U.S.C. §§ 2000e to 2000e-17, as amended, alleging that defendant, Patrick R. Donohoe, Post Master General of the United States Postal Service ("Defendant"), discriminated against her on the basis of her race and gender. Plaintiff's Complaint is accompanied by an application to proceed in forma pauperis. Upon review of the declaration in support of the application to proceed in forma pauperis, the Court determines that the Plaintiff's financial status qualifies her to commence this action without prepayment of the \$350.00 filing fee. See 28 U.S.C. §§ 1914(a); 1915(a)(1). Therefore, Plaintiff's request to

proceed in forma pauperis is GRANTED.

Having reviewed the pro se Complaint, the undersigned declines to conclude at this stage that the within action is frivolous or malicious within the meaning of 28 U.S.C. § 1915. While it may be that Plaintiff is unable to prevail on her claim, the Court's uncertainty does not justify dismissal at this early juncture. McEachin v. McGuinnis, 357 F.3d 197, 200 (2d Cir. 2004). Accordingly, the application to proceed in forma pauperis is GRANTED and the Court orders service of the Complaint without prepayment of the filing fee.

The Clerk of the Court is directed to forward to the United States Marshal for the Eastern District of New York copies of Plaintiff's Summons, Complaint, and this Order for service upon the Defendant without prepayment of fees. Furthermore, the Clerk is directed to mail a copy of this Order to the Plaintiff.

SO ORDERED.

/s/ JOANNA SEYBERT  
JOANNA SEYBERT, U.S.D.J.

Dated: August 17, 2012  
Central Islip, New York